

General Assembly

February Session, 2002

Raised Bill No. 5749

LCO No. 2639

Referred to Committee on Judiciary

Introduced by: (JUD)

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 1-102 of the general statutes, as amended by
- 2 section 3 of public act 01-195, is repealed and the following is
- 3 substituted in lieu thereof (*Effective from passage*):
- 4 No person, committee, association, organization or corporation shall
- 5 employ any salaried commissioner or deputy commissioner of this
- 6 state, or any person receiving a salary or pay from the state for services
- 7 rendered and performed at Hartford, or shall give to any such person
- 8 any advantage, aid, emolument, entertainment, money or other
- 9 valuable thing for appearing for, in behalf of or in opposition to, any
- 10 measure, bill, resolution or petition pending before the General
- 11 Assembly or any committee thereof, or for advancing, supporting,
- 12 advocating, or seeking to secure the passage, defeat or amendment of
- any such measure, bill, resolution or petition pending in or before the
- 14 General Assembly or any committee thereof; nor shall any such
- 15 salaried commissioner, deputy commissioner or other person
- 16 described in this section accept any such employment or perform any

such service for another, or accept aid, emolument, entertainment, 17 18 money, advantage or other valuable thing for or in consideration of 19 any such service. Any person, committee, association, organization or 20 corporation, or any such salaried commissioner, deputy commissioner 21 or person receiving a salary or pay from the state for services rendered 22 and performed at Hartford, who violates any of the provisions of this 23 section, shall be fined not less than one hundred [nor] or more than 24 one thousand dollars. All complaints for the violation of this section 25 shall be made to the state's attorney for the judicial district of New 26 Britain, and said state's attorney shall, upon proof of probable guilt 27 being shown, cause the arrest of any such offender and present such 28 offender or cause such offender to be presented for trial before the 29 superior court for the judicial district of New Britain.

- Sec. 2. Subsection (c) of section 4-28f of the general statutes, as amended by section 40 of public act 01-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 34 (c) The trust fund shall be administered by a board of trustees which 35 shall consist of seventeen trustees. The appointment of the initial 36 trustees shall be as follows: (1) The Governor shall appoint four 37 trustees, one of whom shall serve for a term of one year from July 1, 38 2000, two of whom shall serve for a term of two years from July 1, 39 2000, and one of whom shall serve for a term of three years from July 1, 40 2000; (2) the speaker of the House of Representatives and the president 41 pro tempore of the Senate each shall appoint two trustees, one of 42 whom shall serve for a term of two years from July 1, 2000, and one of 43 whom shall serve for a term of three years from July 1, 2000; (3) the 44 majority leader of the House of Representatives and the majority 45 leader of the Senate each shall appoint two trustees, one of whom shall 46 serve for a term of one year from July 1, 2000, and one of whom shall 47 serve for a term of three years from July 1, 2000; (4) the minority leader 48 of the House of Representatives and the minority leader of the Senate 49 each shall appoint two trustees, one of whom shall serve for a term of

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50 one year from July 1, 2000, and one of whom shall serve for a term of 51 two years from July 1, 2000; and (5) the Secretary of the Office of Policy 52 and Management, or the secretary's designee, as an ex-officio voting 53 member. Following the expiration of such initial terms, subsequent 54 trustees shall serve for a term of three years. The trustees shall serve 55 without compensation except for reimbursement for necessary 56 expenses incurred in performing their duties. The board of trustees 57 shall establish rules of procedure for the conduct of its business which 58 shall include, but not be limited to, criteria, processes and procedures 59 to be used in selecting programs to receive money from the trust fund. 60 The trust fund shall be within the Office of Policy and Management for 61 administrative purposes only. The board of trustees shall meet not less 62 than bimonthly and, not later than January first of each year, shall 63 submit a report of [their] its activities and accomplishments to the joint 64 standing committees of the General Assembly having cognizance of 65 matters relating to public health and appropriations and the budgets of 66 state agencies, in accordance with section 11-4a. Such report shall be 67 approved by each trustee.

- Sec. 3. Subsection (a) of section 4-124w of the general statutes, as amended by section 1 of public act 01-170, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) There is established an Office of Workforce Competitiveness which shall be within the Office of Policy and Management [,] for administrative purposes only.
- Sec. 4. Subsection (a) of section 5-142 of the general statutes, as amended by section 1 of public act 01-208, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) If any member of the Division of State Police within the Department of Public Safety or of any correctional institution, or any institution or facility of the Department of Mental Health and Addiction Services giving care and treatment to persons afflicted with a mental disorder or disease, or any institution for the care and

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82 treatment of persons afflicted with any mental defect, or any full-time 83 enforcement officer of the Department of Environmental Protection, 84 the Department of Motor Vehicles, the Department of Consumer 85 Protection who carries out the duties and responsibilities of sections 86 30-2 to 30-68m, inclusive, the Office of Adult Probation, the 87 Department of Public Works or the Board of Parole, any probation 88 officer for juveniles or any employee of any juvenile detention home, 89 any member of the police or fire security force of The University of Connecticut, any member of the police or fire security force of Bradley 90 91 International Airport, any member of the Office of State Capitol Police 92 or any person appointed under section 29-18 as a special policeman for 93 the State Capitol building and grounds and the Legislative Office 94 Building and parking garage and related structures and facilities and 95 other areas under the supervision and control of the Joint Committee 96 on Legislative Management, the Chief State's Attorney, the Chief 97 Public Defender, the Deputy Chief State's Attorney, the Deputy Chief 98 Public Defender, any state's attorney, any assistant state's attorney or 99 deputy assistant state's attorney, any public defender, assistant public defender or deputy assistant public defender, any chief inspector or 100 101 inspector appointed under section 51-286 or any staff member or 102 employee of the Division of Criminal Justice or of the Division of 103 Public Defender Services, or any Judicial Department employee 104 sustains any injury (1) while making an arrest or in the actual 105 performance of such police duties or guard duties or fire duties or 106 inspection duties, or prosecution or public defender or courthouse 107 duties, or while attending or restraining an inmate of any such 108 institution or as a result of being assaulted in the performance of such 109 person's duty, or while responding to an emergency or code at a 110 correctional institution, and (2) that is a direct result of the special 111 hazards inherent in such duties, the state shall pay all necessary 112 medical and hospital expenses resulting from such injury. If total 113 incapacity results from such injury, such person shall be removed from 114 the active payroll the first day of incapacity, exclusive of the day of 115 injury, and placed on an inactive payroll. Such person shall continue to

receive the full salary that such person was receiving at the time of injury subject to all salary benefits of active employees, including annual increments, and all salary adjustments, including salary deductions, required in the case of active employees, for a period of two hundred sixty weeks from the date of the beginning of such incapacity. Thereafter, such person shall be removed from the payroll and shall receive compensation at the rate of fifty per cent of the salary that such person was receiving at the expiration of said two hundred sixty weeks [so] as long as such person remains so disabled, except that any such person who is a member of the Division of State Police within the Department of Public Safety shall receive compensation at the rate of sixty-five per cent of such salary [so] as long as such person remains so disabled. Such benefits shall be payable to a member of the Division of State Police after two hundred sixty weeks of disability only if the member elects in writing to receive such benefits in lieu of any benefits payable to the employee under the state employees retirement system. In the event that such disabled member of the Division of State Police elects the compensation provided under this subsection, no benefits shall be payable under chapter 568 or the state employees retirement system until the former of the employee's death or recovery from such disability. The provisions of section 31-293 shall apply to any such payments, and the state of Connecticut is authorized to bring an action or join in an action as provided by said section for reimbursement of moneys paid and which it is obligated to pay under the terms of this subsection. All other provisions of the workers' compensation law not inconsistent with this subsection, including the specific indemnities and provisions for hearing and appeal, shall be available to any such state employee or the dependents of such a deceased employee. All payments of compensation made to a state employee under this subsection shall be charged to the appropriation provided for compensation awards to state employees. On and after October 1, 1991, any full-time officer of the Department of Environmental Protection, the Department of Motor Vehicles, the Department of Consumer Protection who carries out the duties and

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150 responsibilities of sections 30-2 to 30-68m, inclusive, the Office of 151 Adult Probation, the Department of Public Works or the Board of 152 Parole, any probation officer for juveniles or any employee of any 153 juvenile detention home, the Chief State's Attorney, the Chief Public 154 Defender, the Deputy Chief State's Attorney, the Deputy Chief Public 155 Defender, any state's attorney, assistant state's attorney or deputy 156 assistant state's attorney, any public defender, assistant public 157 defender or deputy assistant public defender, any chief inspector or 158 inspector appointed under section 51-286 or any staff member or 159 employee of the Division of Criminal Justice or the Division of Public 160 Defender Services, or any Judicial Department employee who sustains 161 any injury in the course and scope of such person's employment shall 162 be paid compensation in accordance with the provisions of section 5-163 143 and chapter 568, except, if such injury is sustained as a result of 164 being assaulted in the performance of such person's duty, any such 165 person shall be compensated pursuant to the provisions of this 166 subsection.

- 167 Sec. 5. Subsection (1) of section 5-198 of the general statutes, as 168 amended by section 5 of public act 01-195, is repealed and the 169 following is substituted in lieu thereof (*Effective from passage*):
 - (l) All members of the professional and technical staffs of the constituent units of the state system of higher education, as defined in section 10a-1, of all other state institutions of learning, of the Department of Higher Education, and of the agricultural experiment station at New Haven, professional employees of the State Board of Education and teachers certified by the State Board of Education and employed in teaching positions at state institutions.
- 177 Sec. 6. Subsection (b) of section 5-275 of the general statutes, as 178 amended by section 2 of public act 01-103, is repealed and the 179 following is substituted in lieu thereof (*Effective from passage*):
- 180 (b) The board shall determine the appropriateness of a unit which 181 shall be the public employer unit or a subdivision thereof. In

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182 determining the appropriateness of the unit, the board shall: (1) Take 183 into consideration, but shall not [be limited] limit consideration to, the 184 following: (A) Public employees must have an identifiable community 185 of interest, and (B) the effects of overfragmentation; (2) not decide that 186 any unit is appropriate if (A) such unit includes both professional and 187 nonprofessional employees, unless a majority of such professional 188 employees vote for inclusion in such unit, or (B) such unit includes 189 both Department of Correction employees at or above the level of 190 lieutenant and Department of Correction employees below the level of 191 lieutenant; (3) take into consideration that when the state is the 192 employer, it will be bargaining on a state-wide basis unless issues 193 involve working conditions peculiar to a given governmental 194 employment locale; (4) permit the faculties of (A) The University of 195 Connecticut, (B) the Connecticut State University system, and (C) the 196 state regional vocational-technical schools to each comprise a separate 197 unit, which in each case shall have the right to bargain collectively 198 with [its] their respective [board] boards of trustees or [its] their 199 designated [representative] representatives; and (5) permit the 200 community college faculty and the technical college faculty as they 201 existed prior to July 1, 1992, to continue to comprise separate units 202 which in each case shall have the right to bargain collectively with its 203 board of trustees or its designated representative. Nonfaculty 204 professional staff of the above institutions may by mutual agreement 205 be included in such bargaining units, or they may form a separate 206 bargaining unit of their own. This section shall not be deemed to 207 prohibit multiunit bargaining.

- 208 Sec. 7. Subsection (a) of section 6-38l of the general statutes is 209 repealed and the following is substituted in lieu thereof (Effective from 210 passage):
- 211 (a) As used in [the] this section:
- 212 (1) "Contribution" has the same meaning as "contribution", as 213 defined in section 9-333b, except that the exclusions to said term in

- 214 subsection (b) of said section shall not apply;
- 215 (2) "Expenditure" has the same meaning as "expenditure", as defined
- in section 9-333c, except that the exclusions to said term in subsection
- 217 (b) of said section shall not apply; and
- 218 (3) "Immediate family" means a dependent relative who resides in
- 219 the individual's household or any spouse, child or parent of the
- 220 individual.
- Sec. 8. Subdivision (3) of section 7-36 of the general statutes, as
- 222 amended by section 2 of public act 01-163, is repealed and the
- following is substituted in lieu thereof (*Effective from passage*):
- 224 (3) "Institution" means any public or private facility [,] that provides
- 225 inpatient medical, surgical or diagnostic care or treatment, or nursing,
- 226 custodial or domiciliary care, or to which persons are committed by
- 227 law.
- Sec. 9. Section 7-53 of the general statutes, as amended by section 15
- of public act 01-163, is repealed and the following is substituted in lieu
- 230 thereof (*Effective from passage*):
- Upon receipt of the record of adoption referred to in subsection (e)
- of section 45a-745 or of other evidence satisfactory to the department
- 233 that a person born in this state has been adopted, the department shall
- prepare a new birth certificate of such adopted person, except that no
- 235 new certificate of birth shall be prepared if the court decreeing the
- adoption, the adoptive parents or the adopted person, if over fourteen
- years of age, so requests. Such new birth certificate shall include all the
- 238 information required to be set forth in a certificate of birth of this state
- as of the date of birth, except that the adopting parents shall be named
- as the parents instead of the genetic parents and, when a certified copy
- 241 of the birth of such person is requested by an authorized person, a
- 242 copy of the new certificate of birth as prepared by the department shall
- 243 be provided. Any person seeking to examine or obtain a copy of the

original record or certificate of birth shall first obtain a written order signed by the judge of the probate court for the district in which the adopted person was adopted or born in accordance with section [45a-751] 45a-753 or a written order of the Probate Court in accordance with the provisions of section 45a-752, stating that the court is of the opinion that the examination of the birth record of the adopted person by the adopting parents or the adopted person, if over eighteen years of age, or by the person wishing to examine the same or that the issuance of a copy of such birth certificate to the adopting parents, adopted person, if over eighteen years of age or to the person applying therefor will not be detrimental to the public interest or to the welfare of the adopted person or to the welfare of the genetic or adoptive parent or parents. Upon receipt of such court order, the registrar of vital statistics of any town in which the birth of such person was recorded, or the department, may issue the certified copy of the original certificate of birth on file, marked with a notation by the issuer that such original certificate of birth has been superseded by a replacement certificate of birth as on file, or, may permit the examination of such record. Immediately after a new certificate of birth has been prepared, an exact copy of such certificate, together with a written notice of the evidence of adoption, shall be transmitted by the department to the registrar of vital statistics of each town in this state in which the birth of the adopted person is recorded. The new birth certificate, the original certificate of birth on file and the evidence of adoption shall be filed and indexed, under such regulations as the commissioner adopts, in accordance with chapter 54, to carry out the provisions of this section and to prevent access to the records of birth and adoption and the information therein contained without due cause, except as provided in this section. Any person, except such parents or adopted person, who discloses any information contained in such records, except as provided in this section, shall be fined not more than five hundred dollars or imprisoned not more than six months, or both. Whenever a certified copy of an adoption decree from a court of a foreign country, having jurisdiction of the adopted person, is filed with the department

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- under the provisions of this section, such decree, when written in a language other than English, shall be accompanied by an English translation, which shall be subscribed and sworn to as a true translation by an American consulate officer stationed in such foreign country.
- Sec. 10. Subsection (a) of section 7-60 of the general statutes, as amended by section 20 of public act 01-163, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) Each case of fetal death shall be registered and a fetal death certificate shall be filed with the registrar of vital statistics in the manner required by sections 7-48, as amended, 7-50, as amended, 7-51, as amended, and 7-52, as amended, with respect to the filing, content and issuance of birth certificates. A fetus born after a period of gestation of not less than twenty weeks in which there is no attempt at respiration, no action of heart and no movement of voluntary muscle, shall be recorded as a fetal death. A fetal death certificate shall be signed by a physician or, when no physician was in attendance, by the Chief Medical Examiner, Deputy Chief Medical Examiner, an associate medical examiner, or an authorized assistant medical examiner.
 - Sec. 11. Subparagraph (H)(xv) of subdivision (7) of subsection (c) of section 7-148 of the general statutes, as amended by section 1 of public act 01-128, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (xv) Make and enforce regulations preventing housing blight, including regulations reducing assessments, provided such regulations define housing blight, and including regulations establishing a duty to maintain property and specifying standards to determine if there is neglect; prescribe fines for the violation of such regulations of not less than ten [nor] or more than one hundred dollars for each day that a violation continues and, if such fines are prescribed, such municipality shall adopt a citation hearing procedure in accordance with section 7-152c.

Sec. 12. Subsections (f) and (g) of section 8-23 of the general statutes, as amended by section 1 of public act 01-197, are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption. At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body. Such body may hold one or more hearings on the proposed plan and shall submit any comments to the commission prior to the public hearing on adoption. The failure of such body to report prior to or at the public hearing shall be taken as approval of the plan. At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan to the regional planning agency for review and comment. The regional planning agency shall report its comments to the commission at or before the hearing. The failure of the regional planning agency to report at or before the hearing shall be taken as approval of the plan. The report of the regional planning agency shall be advisory. Prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk. The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, [nor] or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be.

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- 343 (g) The commission may adopt the plan or any part thereof or 344 amendment thereto by a single resolution or may, by successive 345 resolutions, adopt parts of the plan and amendments thereto. Any 346 plan, section of a plan or recommendation in the plan, not endorsed by 347 the legislative body of the municipality may be adopted by the 348 commission by a vote of not less than two-thirds of all the members of 349 the commission. Upon adoption by the commission, any plan or part 350 thereof or amendment thereto shall become effective at a time 351 established by the commission, provided notice thereof shall be 352 published in a newspaper having a general circulation in the 353 municipality prior to such effective date. Any plan or part thereof or 354 amendment thereto shall be filed in the office of the town clerk, except 355 that, if it is a district plan or amendment, it shall be filed in the offices 356 of both the district and town [clerk] <u>clerks</u>.
- Sec. 13. Subsection (b) of section 12-65b of the general statutes, as amended by section 1 of public act 01-125, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (b) The provisions of subsection (a) of this section shall only apply if the improvements are for at least one of the following: (1) [For office] Office use; (2) [for] retail use; (3) [for] permanent residential use; (4) [for] transient residential use; (5) [for] manufacturing use; (6) [for] warehouse, storage or distribution use; (7) [for] structured multilevel parking use necessary in connection with a mass transit system; (8) [for] information technology; (9) [for] recreation facilities; or (10) [for] transportation facilities.
 - Sec. 14. Subsection (a) of section 17b-802 of the general statutes, as amended by section 32 of public act 01-2 of the June special session and section 129 of public act 01-9 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 373 (a) The Commissioner of Social Services shall establish, within 374 available appropriations, and administer a security deposit guarantee

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program for persons who are recipients of temporary family assistance, aid under the state supplement program, administered general assistance or general assistance and [to] for persons who have a documented showing of financial need and are residing in emergency shelters or other emergency housing or who cannot remain in permanent housing due to any reason specified in subsection (a) of section 17b-808 or [is] are served a notice to quit in a summary process action instituted pursuant to chapter 832, for use by such persons in lieu of a security deposit on a rental dwelling unit. Eligible persons may receive a security deposit guarantee in an amount not to exceed the equivalent of two months' rent on such rental unit. No person may apply for and receive a security deposit guarantee more than once in any eighteen-month period without the express authorization of the Commissioner of Social Services, except as provided in subsection (b) of this section.

- Sec. 15. Subsection (e) of section 19a-42 of the general statutes, as amended by section 32 of public act 01-163, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 393 (e) When the parent or parents of a child [requests] request the 394 amendment of the child's birth certificate to reflect a new mother's 395 name because the name on the original certificate is fictitious, such 396 parent or parents shall obtain an order of a court of competent 397 jurisdiction declaring the putative mother to be the child's mother. 398 Upon receipt of a certified copy of such order, the department shall 399 amend the child's birth certificate to reflect the mother's true name.
- 400 Sec. 16. Section 20-278 of the general statutes, as amended by section 401 12 of public act 01-109, is repealed and the following is substituted in 402 lieu thereof (*Effective from passage*):
- 403 No person shall: (1) Buy, sell or fraudulently obtain or furnish any 404 diploma, certificate, license, record or registration purporting to show 405 that any person is qualified or authorized to practice electrology, or 406 participate in any such act; (2) practice or attempt or offer to practice

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407 electrology under cover of any diploma, certificate, license, record or 408 registration illegally or fraudulently obtained or signed, or issued 409 unlawfully or under fraudulent representation or mistake of fact in a 410 material regard; (3) practice or attempt or offer to practice electrology 411 under a name other than such person's own name or under a false or 412 assumed name; (4) aid or abet practice by a person not lawfully 413 licensed to practice electrology within this state or by a person whose 414 license to practice has been suspended or revoked; or (5) use in such 415 person's advertising the word "electrologist" or any description of 416 services involving permanent hair removal, without having obtained a 417 license under the provisions of this chapter. No person shall, during 418 the time such person's license is revoked or suspended, practice or 419 attempt or offer or advertise to practice electrology or be employed by, 420 work with or assist, in any way, any person licensed to practice 421 electrology. Any person who violates any provision of this section 422 shall be fined not more than one hundred dollars or imprisoned not 423 more than thirty days, or both.

Sec. 17. Section 27-19 of the general statutes, as amended by section 2 of public act 01-123, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Military Department shall be under the charge of the Adjutant General. On or before July 1, 1980, the Governor shall appoint an Adjutant General with the rank of major general to serve for a term of two years from July 1, 1980. Quadrennially thereafter, the Governor shall appoint an Adjutant General with the rank of lieutenant general to serve for [the] a term of four years, from such first day of July and until a successor is appointed and qualified. The Adjutant General shall have had at least ten years' commissioned service in the armed forces of the United States. No person shall be appointed [nor] or continue to serve after reaching the age of sixty-four years. The Adjutant General may be suspended or removed by the Governor in accordance with the provisions of sections 4-11, 4-12 and 4-13.

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Sec. 18. Subsection (a) of section 29-35 of the general statutes, as amended by section 9 of public act 01-130, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person shall carry any pistol or revolver upon [one's] his or her person, except when such person is within the dwelling house or place of business of such person, without a permit to carry the same issued as provided in section 29-28, as amended. The provisions of this subsection shall not apply to the carrying of any pistol or revolver by any parole officer or peace officer of this state, or parole officer or peace officer of any other state while engaged in the pursuit of official duties, or federal marshal or federal law enforcement agent, or to any member of the armed forces of the United States, as defined by section 27-103, or of this state, as defined by section 27-2, when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person transporting any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while transporting the same from the place of sale to the purchaser's residence or place of business, or to any person removing such person's household goods or effects from one place to another, or to any person while transporting any such pistol or revolver from such person's place of residence or business to a place or individual where or by whom such pistol or revolver is to be repaired or while returning to such person's place of residence or business after the same has been repaired, or to any person transporting a pistol or revolver in or through the state for the purpose of taking part in competitions, taking part in formal pistol or revolver training, repairing such pistol or revolver or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States and is permitted to possess and carry a pistol or revolver in the state or subdivision of the United States in which such person resides, or to any person transporting a pistol or revolver to and from a testing range at the request of the issuing authority, or to any person

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473 transporting an antique pistol or revolver, as defined in section 29-33. 474 For the purposes of this subsection, "formal pistol or revolver training" 475 means pistol or revolver training at a locally approved or permitted 476 firing range or training facility, and "transporting a pistol or revolver" 477 means transporting a pistol or revolver that is unloaded and, if such 478 pistol or revolver is being transported in a motor vehicle, is not readily 479 accessible or directly accessible from the passenger compartment of the 480 vehicle or, if such pistol or revolver is being transported in a motor 481 vehicle that does not have a compartment separate from the passenger 482 compartment, such pistol or revolver shall be contained in a locked 483 container other than the glove compartment or console. Nothing in this 484 section shall be construed to prohibit the carrying of a pistol or 485 revolver during formal pistol or revolver training or repair.

Sec. 19. Subdivision (5) of subsection (b) of section 31-3h of the general statutes, as amended by section 1 of public act 01-42, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) Implementing the federal Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended. Such implementation shall include (A) developing, in consultation with the regional workforce development boards, a single Connecticut workforce development plan that (i) complies with the provisions of said act and section 31-11p, and (ii) includes comprehensive state performance measures for workforce development activities specified in Title I of the federal Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended, which performance measures comply with the requirements of CFR Part [666.10] 666.100, (B) preparing and submitting a report on the state's progress in achieving such performance measures to the Governor and the General Assembly annually on January thirty-first, (C) making recommendations to the General Assembly concerning the allocation of funds received by the state under said act and making recommendations to the regional workforce development boards concerning the use of formulas in allocating such funds to adult

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506 employment and job training activities and youth activities, as 507 specified in said act, (D) providing oversight and coordination of the 508 state-wide employment statistics system required by said act, (E) as 509 appropriate, recommending to the Governor that the Governor apply 510 for workforce flexibility plans and waiver authority under said act, 511 after consultation with the regional workforce development boards, (F) 512 developing performance criteria for regional workforce development 513 boards to utilize in creating a list of eligible providers, and (G) on or 514 before December 31, 1999, developing a uniform individual training 515 accounts voucher system that shall be used by the regional workforce 516 development boards to pay for training of eligible workers by eligible 517 providers, as required under said act;

- Sec. 20. Subsection (b) of section 31-4 of the general statutes, as amended by section 1 of public act 01-147, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (b) The commissioner shall produce printed material describing the rights of immigrant laborers or laborers who lack proficiency in the English language as employees under part III of chapter 557 [,] and chapters 558 and 567, and the commissioner shall provide such information to such laborers when they apply for benefits under chapter 567 or when they seek compliance with any provision under part III of chapter 557 or chapter 558. The commissioner shall, within available funds, make such information available to the public. The commissioner shall prevent illegal advantage being taken of such laborers by reason of their lack of information about their rights, credulity or lack of proficiency in the English language. The languages used in such printed material, in addition to Spanish and French, may be those languages determined by the commissioner to be spoken by the primary groups of immigrant laborers in the state.
- Sec. 21. Subsection (c) of section 32-11a of the general statutes, as amended by section 5 of public act 01-179, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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538 (c) The board of directors of the authority shall consist of the 539 Commissioner of Economic and Community Development, the State 540 Treasurer [of the state] and the Secretary of the Office of Policy and Management, each serving ex officio, four members appointed by the 542 Governor who shall be experienced in the field of financial lending or 543 the development of commerce, trade and business and four members 544 appointed as follows: One by the president pro tempore of the Senate, one by the minority leader of the Senate, one by the speaker of the 546 House of Representatives and one by the minority leader of the House 547 of Representatives. Each ex-officio member may designate a deputy or 548 any member of the agency staff to represent the member at meetings of 549 the authority with full powers to act and vote on the member's behalf. 550 The chairperson of the board shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly. The 552 board shall annually elect one of its members as vice [chairman] 553 chairperson. Each member appointed by the Governor shall serve at the pleasure of the Governor but no longer than the term of office of the Governor or until the member's successor is appointed and qualified, whichever is longer. Each member appointed by a member 557 of the General Assembly shall serve in accordance with the provisions of section 4-1a. Members shall receive no compensation but shall be 559 reimbursed for necessary expenses incurred in the performance of 560 their duties under the authority legislation, as defined in subsection (hh) of section 32-23d, as amended. The Governor shall fill any 562 vacancy for the unexpired term of a member appointed by the Governor. The appropriate legislative appointing authority shall fill 564 any vacancy for the unexpired term of a member appointed by such authority. A member of the board shall be eligible for reappointment. 566 Any member of the board may be removed by the Governor for misfeasance, malfeasance or wilful neglect of duty. Each member of the authority before entering upon his or her duties shall take and subscribe the oath or affirmation required by article XI, section 1, of the 570 State Constitution. A record of each such oath shall be filed in the office of the Secretary of the State. Meetings of the board shall be held

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at such times as shall be specified in the bylaws adopted by the board and at such other time or times as the [chairman] chairperson deems necessary. The board is empowered to adopt bylaws and regulations for putting into effect the provisions of said chapters and sections. Not later than November first, annually, the authority shall submit a report to the Commissioner of Economic and Community Development, the Auditors of Public Accounts and the joint standing committees of the General Assembly having cognizance of matters relating to the Economic Department of and Community Development, appropriations and capital bonding, which shall include the following information with respect to new and outstanding financial assistance provided by the authority during the twelve-month period ending on June thirtieth next preceding the date of the report for each financial assistance program administered by the authority: (1) A list of the names, addresses and locations of all recipients of such assistance, (2) for each recipient: (A) The business activities, (B) the Standard Industrial Classification Manual codes, (C) the gross revenues during the recipient's most recent fiscal year, (D) the number of employees at the time of application, (E) whether the recipient is a minority or [women-owned] woman-owned business, (F) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance, job creation or retention requirements, and anticipated wage rates, and (G) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, (3) the economic benefit criteria used in determining which applications have been approved or disapproved, and (4) for each recipient of assistance on or after July 1, 1991, a comparison between the number of jobs to be created, the number of jobs to be retained and the average wage rates for each such category of jobs, as projected in the recipient's application, versus the actual number of jobs created, the actual number of jobs retained and the average wage rates for each such category. The report shall also indicate the actual number of fulltime jobs and the actual number of part-time jobs in each such category and the benefit levels for each such subcategory. In addition, the report

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shall state (A) for each final application approved during the twelvemonth period covered by the report, (i) the date that the final application was received by the authority, and (ii) the date of such approval; (B) for each final application withdrawn during the twelvemonth period covered by the report, (i) the municipality in which the applicant is located, (ii) the Standard Industrial Classification Manual code for the applicant, (iii) the date that the final application was received by the authority, and (iv) the date of such withdrawal; (C) for each final application disapproved during the twelve-month period covered by the report, (i) the municipality in which the applicant is located, (ii) the Standard Industrial Classification Manual code for the applicant, (iii) the date that the final application was received by the authority, and (iv) the date of such disapproval; and (D) for each final application on which no action has been taken by the applicant or the agency in the twelve-month period covered by the report and for which no report has been submitted under this subsection, (i) the municipality in which the applicant is located, (ii) the Standard Industrial Classification Manual code for the applicant, and (iii) the date that the final application was received by the authority. The November first report shall include a summary of the activities of the authority, including all activities to assist small businesses and minority business enterprises, as defined in section 4a-60g, a complete operating and financial statement and recommendations for legislation to promote the purposes of the authority. The authority shall furnish such additional reports upon the written request of any such committee at such times and containing such information as the committee may request. The accounts of the authority shall be subject to annual audit by the state Auditors of Public Accounts. The authority may cause an audit of its books and accounts to be made at least once each fiscal year by certified public accountants. The powers of the authority shall be vested in and exercised by not less than six of the members of the board of directors then in office. Such number of members shall constitute a quorum and the affirmative vote of a majority of the members present at a meeting of the board shall be

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necessary for any action taken by the authority. No vacancy in the membership of the board shall impair the right to exercise all the rights and perform all the duties of the authority. Any action taken by the board under the provisions of said chapters and sections may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted. The authority shall be exempt from the provisions of section 4-9a.

- Sec. 22. Subdivision (6) of subsection (l) of section 32-11a of the general statutes, as amended by section 6 of public act 01-179, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (6) The authority may make loans or grants to, and may guarantee specified obligations of, any [each] such subsidiary, following standard authority procedures, from the authority's assets and the proceeds of its bonds, notes, and other obligations, provided however, that the source and security, if any, for the repayment of any such loans or guarantees is derived from the assets, revenues and resources of such subsidiary.
- Sec. 23. Section 32-23h of the general statutes, as amended by section 14 of public act 01-179, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The exercise of the powers granted by the authority legislation, as defined in subsection (hh) of section 32-23d, <u>as amended</u>, shall constitute the performance of an essential governmental function and the authority shall not be required to pay any taxes or assessments upon or in respect of a project, or any property or moneys of the authority, levied by any municipality or political subdivision or special district having taxing powers of the state, nor shall the authority be required to pay state taxes of any kind, and the authority, its projects, property and moneys and any bonds and notes issued under the provisions of said chapters and sections, their transfer and the income

therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state except for estate or succession taxes and by the municipalities and all other political subdivisions or special districts having taxing powers of the state; provided any person [,] leasing a project from the authority shall pay to the municipality, or other political subdivision or special district having taxing powers, in which such project is located, a payment in lieu of taxes which shall equal the taxes on real and personal property, including water and sewer assessments, which such lessee would have been required to pay had it been the owner of such property during the period for which such payment is made and neither the authority nor its projects, properties, money or bonds and notes shall be obligated, liable or subject to lien of any kind for the enforcement, collection or payment thereof. The sale of tangible personal property or services by the authority is exempt from the sales tax under chapter 219, and the storage, use or other consumption in this state of tangible personal property or services purchased from the authority is exempt from the use tax under chapter 219. If and to the extent the proceedings under which the bonds authorized to be issued under the provisions of said chapters and sections so provide, the authority may agree to cooperate with the lessee of a project in connection with any administrative or judicial proceedings for determining the validity or amount of such payments and may agree to appoint or designate and reserve the right in and for such lessee to take all action which the authority may lawfully take in respect of such payments and all matters relating thereto, provided such lessee shall bear and pay all costs and expenses of the authority thereby incurred at the request of such lessee or by reason of any such action taken by such lessee in behalf of the authority. Any lessee of a project which has paid the amounts in lieu of taxes required by this section to be paid shall not be required to pay any such taxes in which a payment in lieu thereof has been made to the state or to any such municipality or other political subdivision or special district having taxing powers, any other statute to the contrary notwithstanding. Any industrial pollution control

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706 facility financed under said chapters and sections shall be subject to 707 such approvals, as may be required by law, of any agency of the state 708 and any agency of the United States having jurisdiction in the matter 709 and, in the discretion of the authority, may be acquired, constructed or 710 improved as part of or jointly with a pollution control facility 711 undertaken by a municipality or political subdivision or special district 712 having taxing powers in the state and the authority is authorized to 713 cooperate and execute contracts with such a municipality or political 714 subdivision or special district.

- Sec. 24. Subsection (b) of section 32-23yy of the general statutes, as amended by section 4 of public act 01-96, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 718 (b) There is created within the authority the High-Technology 719 Infrastructure Fund. The state, acting through the authority, may 720 provide financial assistance from [such] said fund that enables the 721 development of information technology projects. Such financial 722 assistance may be provided directly or in participation with any other 723 financial institutions, funds or other persons or other sources of 724 financing, public or private and the authority may enter into any 725 agreements or contracts it deems necessary or convenient in 726 connection therewith. Payments of principal, interest or other forms of 727 return on investment received by the authority shall be deposited in or 728 held on behalf of said fund.
- Sec. 25. Subsection (a) of section 32-227 of the general statutes, as amended by section 18 of public act 01-179, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (a) For the purpose of carrying out or administering a municipal or business development project, (1) a municipality, acting by and through its implementing agency, may, subject to the limitations and procedures set forth in this section, issue from time to time bonds of the municipality, and (2) the Connecticut Development Authority may, upon a resolution adopted [of] by the legislative body of the

municipality, issue from time to time bonds which, in either case, are payable solely or in part from and secured by: (A) A pledge of and lien upon any or all of the income, proceeds, revenues and property of development projects, including the proceeds of grants, loans, advances or contributions from the federal government, the state or other source, including financial assistance furnished by the municipality or any other public body pursuant to sections 32-220 to 32-234, inclusive; (B) taxes or payments in lieu of taxes, or both, in whole or in part, allocated to and paid into a special fund of the municipality or the Connecticut Development Authority pursuant to the provisions of subsection (c) of this section; or (C) any combination of the methods in subparagraphs (A) and (B) of this section. Any bonds payable and secured as provided in this subsection shall be authorized by, and the appropriation of the proceeds thereof approved by and subject to, a resolution adopted by the legislative body of the municipality, notwithstanding the provisions of any other statute, local law or charter governing the authorization and issuance of bonds and the appropriation of the proceeds thereof generally by the municipality. No such resolution shall be adopted until after a public hearing has been held upon such authorization. Notice of such hearing shall be published not less than five days prior to such hearing in a newspaper having a general circulation in the municipality. Any such bonds of a municipality or the Connecticut Development Authority shall be issued and sold in such manner; bear interest at such rate or rates, including variable rates; provide for the payment of interest on such dates, whether before or at maturity; be issued at, above or below par; mature at such time or times not exceeding thirty years from their date; have such rank or priority; be payable in such medium of payment; be issued in such form, including, without limitation, registered or book-entry form; carry such registration and transfer privileges and be made subject to purchase or redemption before maturity at such price or prices and under such terms and conditions, including the condition that such bonds be subject to purchase or redemption on the demand of the owner thereof; and contain such

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other terms and particulars as the legislative body of the municipality or the officers delegated such authority by the legislative body of the municipality shall determine. Any such bonds of the Connecticut Development Authority shall be issued and sold in the manner and subject to the general terms and provisions of law applicable to issuance of bonds by the Connecticut Development Authority, except that the provisions of subsection (b) of section 32-23j shall not apply. The proceedings under which bonds are authorized to be issued may, subject to the provisions of indenture or to any other depository agreement, provide for the method of disbursement thereof, with such safeguards and restrictions as it may determine. Any pledge made by the municipality or the Connecticut Development Authority for bonds issued as provided in this subsection shall be valid and binding from the time when the pledge is made, and any revenues or other receipts, funds or moneys so pledged and thereafter received by the municipality or the Connecticut Development Authority shall be subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the municipality or Connecticut Development Authority, irrespective of whether such parties have notice of such lien. Neither the resolution nor any other instrument by which a pledge is created need be recorded. All expenses incurred in carrying out such financing may be treated as project costs. Such bonds shall not be included in computing the aggregate indebtedness of the municipality, provided, if such bonds are made payable, in whole or in part, from funds contracted to be advanced by the municipality, the aggregate amount of such funds not yet appropriated to such purpose shall be included in computing the aggregate indebtedness of the municipality. As used in this section, "bonds" means any bonds, including refunding bonds, notes, temporary notes, interim certificates, debentures or other obligations. Temporary notes issued in accordance with this subsection in anticipation of the receipt of the proceeds of bond issues may be issued for a period of not more than

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five years, and notes issued for a shorter period of time may be renewed by the issue of other notes, provided the period from the date of the original notes to the maturity of the last notes issued in renewal thereof shall not exceed five years. For purposes of this section, references to the Connecticut Development Authority shall include any subsidiary of the Connecticut Development Authority established pursuant to subsection (l) of section 32-11a, as amended.

Sec. 26. Section 35-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No partnership, common law trust or association, or individual using a trade name, shall use, either as a part of its name or as a prefix or suffix thereto or as a designation of the business carried on by it, the word "bank", "banking", "banker", "bankers", "trust" or "savings", provided either the word "bankers" or the word "trust" may be so used when qualified and immediately preceded by the word "investment", but not followed by the word "company" or "corporation". The provisions of this section shall not apply to any charitable or athletic association. No provision of this section shall prevent any savings and loan association organized under the provisions of [section 36a-85] chapter 664b from using the term "savings" either as a part of its name or as a prefix or suffix thereto or as a designation of the business carried on by it.

Sec. 27. Section 36a-215 of the general statutes, as amended by section 6 of public act 01-183, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If, in the opinion of the commissioner, a Connecticut bank organized to function solely in a fiduciary capacity, or an uninsured bank in danger of becoming insolvent, is not likely to be able to meet the demands of its depositors, in the case of an uninsured bank, or pay its obligations in the normal course of business, or is likely to incur losses that may deplete all or substantially all of its capital, the commissioner may require such Connecticut bank organized to

838 function solely in a fiduciary capacity or uninsured bank to keep assets 839 on deposit in an amount that would be sufficient to meet the costs and 840 expenses incurred by the commissioner pursuant to section 36a-223 841 and all fees and assessments due the commissioner. Such assets shall 842 be deposited with such bank as the commissioner may designate, and 843 shall be in such form and subject to such conditions as the 844 commissioner deems necessary. For purposes of this section, 845 "uninsured bank" has the meaning given to that term in subsection (t) 846 of section 36a-70.

- Sec. 28. Subdivision (10) of section 36a-598 of the general statutes, as amended by section 5 of public act 01-56, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (10) A statement of whether the applicant will engage in the business of issuing money orders, travelers checks [,] or electronic payment instruments or engage in the business of money transmission in this state.
- Sec. 29. Subdivision (1) of subsection (e) of section 36b-15 of the general statutes, as amended by section 3 of public act 01-48, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (e) (1) Withdrawal from registration as a broker-dealer, agent, investment adviser or investment adviser agent, or withdrawal of an application for registration as a broker-dealer, agent, investment adviser or investment adviser agent, becomes effective ninety days after receipt of an application to withdraw such registration or a notice of intent to withdraw such application for registration or within such shorter period of time as the commissioner may determine, unless a denial, revocation or suspension proceeding is pending when the application or notice is filed or a proceeding to deny, revoke, suspend or [to] impose conditions upon the withdrawal is instituted within ninety days after the application or notice is filed. If a proceeding is pending or instituted, withdrawal becomes effective at such time and

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- upon such conditions as the commissioner by order determines. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the commissioner may nevertheless institute a denial, revocation or suspension proceeding under subsection (a) of this section within one year after withdrawal became effective.
- Sec. 30. Subsection (e) of section 46a-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 878 (e) A hearing officer, hearing adjudicator, human rights referee or 879 attorney who volunteers service pursuant to subdivision [(16)] (18) of 880 section 46a-54 may supervise settlement endeavors, or, in employment 881 discrimination cases only, the complainant and respondent, with the 882 permission of the commission, may engage in alternate dispute 883 resolution endeavors for not more than three months. The cost of such 884 alternate dispute resolution endeavors shall be borne by the 885 complainant or the respondent or both and not by the commission. 886 Any endeavors or negotiations for conciliation, settlement or alternate 887 dispute resolution shall not be received in evidence.
- Sec. 31. Subsection (a) of section 46b-26 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) No license may be issued by any registrar until there has been filed with [him] <u>such registrar</u>, for each applicant, a statement signed by a physician licensed to practice medicine or osteopathy in any state or territory of the United States, the District of Columbia or any province of Canada, an advanced practice registered nurse licensed pursuant to chapter 378, a nurse-midwife licensed pursuant to chapter 377 or a physician assistant [license] <u>licensed</u> pursuant to chapter 370, or by a commissioned medical officer in the armed forces or the Public Health Service of the United States, that the applicant has submitted to a standard laboratory blood test, that, if the test was positive, the person has submitted to a physical examination of the skin and

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appropriate mucous membranes, and that, in the opinion of such physician, advanced practice registered nurse, nurse-midwife or physician assistant, the person is not infected with syphilis or in a stage of that disease that is communicable.

- Sec. 32. Subsection (e) of section 46b-115s of the general statutes, as amended by section 16 of public act 01-186, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 909 (e) If a party under oath alleges in an affidavit [,] or a pleading or on 910 a form prescribed by the Office of the Chief Court Administrator that 911 the health, safety or liberty of a party or child would be jeopardized by 912 disclosure of location information, the information must be sealed and 913 shall not be disclosed to the other party or the public unless the court, 914 after a hearing, determines that it is in the interest of justice that such 915 disclosure be made. The party making such allegation shall (1) provide 916 obvious notice to the clerk of the court that such allegation is being 917 made; (2) not file location information that poses the risk unless 918 ordered by the court; (3) identify, in writing, documents previously 919 filed with the court that contain location information that poses the 920 risk; and (4) if, at the time the allegation is made, the party is not 921 represented by counsel in the proceeding, provide the clerk of the 922 court with a mailing address that may be disclosed to the public. Except as otherwise provided by [court rule, obvious notice] rule of 923 924 court, "obvious notice", as used in this subsection, [shall mean] means 925 notice as provided on a form prescribed by the Office of the Chief 926 Court Administrator or a notice to the clerk of the court which is set 927 forth in the bottom margin of the first page of such filed document.
- Sec. 33. Subsection (e) of section 46b-141 of the general statutes, as amended by section 34 of public act 01-2 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (e) All other commitments of delinquent, mentally deficient or mentally ill children by the court pursuant to the provisions of section

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934 46b-140, as amended, may be for an indeterminate time. Commitments 935 may be reopened and terminated at any time by said court, provided 936 the Commissioner of Children and Families shall be given notice of 937 such proposed reopening and a reasonable opportunity to present the 938 commissioner's views thereon. The parents or guardian of such child 939 may apply not more than twice in any calendar year for such 940 reopening and termination of commitment. Any order of the court 941 made under the provisions of this section shall be deemed a final order 942 for purposes of appeal, except that no bond shall be required [nor] or 943 costs taxed on such appeal.

- Sec. 34. Subdivision (4) of section 46b-212a of the general statutes, as amended by section 8 of public act 01-91, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 947 (4) "Governor" means an individual performing the functions of 948 Governor or the executive authority of a state covered by sections 46b-949 212 to [47b-213v] 46b-213v, inclusive, as amended.
- 950 Sec. 35. Section 47a-56a of the general statutes, as amended by 951 section 2 of public act 01-128, is repealed and the following is 952 substituted in lieu thereof (*Effective from passage*):

Whenever any order issued under the provisions of section 47a-53 [, or section 47a-55,] or 47a-55 or under the provisions of any municipal charter or special act or ordinance relating to the abatement of nuisances in tenement houses is not complied with, or not so far complied with as the appropriate authority finds reasonable, within the time allowed, or whenever a landlord has not substantially complied with the provisions of section 47a-7, the authority appointed under the provisions of section 47a-56 [,] may apply to the superior court for the judicial district where the property is situated for an order requiring the owner and any mortgagees or lienors of record to show cause why a receiver of rents, issues and profits should not be appointed and why [said] such receiver should not remove or remedy such condition and obtain a lien in favor of the municipality, having

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966 priority with respect to all existing mortgages or liens, to secure 967 payment of the costs incurred by the receiver in removing or 968 remedying such condition. Such application shall contain: (1) [proof] 969 Proof by affidavit that an order of the proper authority has been issued 970 and served on the owner, mortgagees and lienors; (2) a statement that 971 a nuisance exists because a landlord has been in substantial 972 noncompliance with the provisions of section 47a-7 or a nuisance exists 973 that constitutes a fire hazard or a serious threat to life, health or safety 974 and that such nuisance continued to exist in such property after the 975 time fixed for the removal thereof in such order, and such statement 976 shall contain a description of the property and the conditions constituting such nuisance; and (3) a brief description of the nature of 977 978 the work required to remove or remedy the condition and an estimate 979 as to the cost thereof.

- Sec. 36. Subdivision (1) of subsection (b) of section 49-35a of the general statutes, as amended by section 47 of public act 01-195, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (1) If the clerk, upon receipt of all the documents in duplicate, finds them to be in proper form, the clerk shall fix a date for a hearing on the application and sign the order of hearing and notice. An entry fee of twenty dollars shall then be collected and a copy of the original document shall be placed in the court file.
- Sec. 37. Subsection (c) of section 49-55d of the general statutes, as amended by section 49 of public act 01-195, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (c) The owner or the owner's representative shall have thirty days next succeeding the date the complaint is returnable to the proper court to file an affidavit with the court controverting any material allegations contained in the complaint and an affidavit that the owner has a valid defense. The issues so raised shall be tried as all other issues in the court. If the owner or the owner's legal representative

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does not file the necessary affidavits, the lienor may make a motion for judgment and order of sale which shall be heard on short calendar by the court having jurisdiction, which motion the court shall have the power to grant and the court shall order the sale of the vessel by the state marshal or other proper officer at public auction, subject to all prior encumbrances on file with the Secretary of the State, provided at least seven days prior to the sale, a notice of the time, place and purpose of the sale shall be published in a newspaper having general circulation where the vessel was located at the time of the attachment, and notice of same shall be sent by certified mail to the owner of the vessel at such owner's last-known place of residence and to all other holders of valid security interests on file with the office of [said secretary] the Secretary of the State. The proceeds of the sale, after payment of all expenses connected with the sale and payment of any balance due on any valid security interest perfected before the vessel lien was filed, and satisfaction of the vessel lien and satisfaction of any valid security interest subsequent to the vessel lien presented for payment, shall be paid to the owner. If the amount due the owner is not claimed within one year from the date of such sale, it shall escheat to the state.

Sec. 38. Subsection (c) of section 51-181c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any person for whom prosecution is suspended and who is placed in the community service program pursuant to subdivisions (1) and (2) of subsection (a) of this section shall agree to the tolling of the statute of limitations with respect to such crime and to a waiver of [his] such person's right to a speedy trial. If the program monitor certifies to the court that such person successfully completed the community service program, the court shall make a finding of such satisfactory completion and dismiss the charges. If the program monitor certifies to the court that such person did not successfully complete the community service program to which [he] such person was assigned

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or is no longer [amendable] <u>amenable</u> to participate in such program, the court shall enter a plea of not guilty for such person and transfer the case to the regular criminal docket and immediately place the case on the trial list, except that cases accepted from the housing session pursuant to subdivision (2) of subsection (a) of this section shall be returned to the housing session.

Sec. 39. Subsection (b) of section 52-321a of the general statutes, as amended by section 61 of public act 01-195, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Nothing in this section shall impair the rights of an alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended. Nothing in this section or in subsection (m) of section 52-352b shall impair the rights of the state to proceed under section 52-361a to recover the costs of incarceration from any federal, state or municipal pension, annuity or insurance contract or similar arrangement described in subdivision (5) of subsection (a) of this section, provided the rights of an alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall take precedence over any such recovery. Nothing in this section [nor] or in subsection (m) of section 52-352b shall impair the rights of a victim of crime to proceed under section 52-361a to recover damages awarded by a court of competent jurisdiction from any federal, state or municipal pension, annuity or insurance contract or similar arrangement described in subdivision (5) of subsection (a) of this section when such damages are the result of a crime committed by a participant or beneficiary of such pension, annuity or insurance contract or similar arrangement; provided the rights of an alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code of 1986, or any subsequent

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corresponding internal revenue code of the United States, as from time to time amended, shall take precedence over any such recovery.

Sec. 40. Subsection (d) of section 52-362f of the general statutes, as amended by section 25 of public act 01-91, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

- (d) When a support order is issued in another jurisdiction and the obligor has income subject to withholding in accordance with the provisions of section 52-362, Support Enforcement Services shall, upon receiving a support order of another jurisdiction with the documentation specified in this subsection from an agency of another jurisdiction, or from an obligee, [and] an obligor or an attorney for either the obligee or obligor, file such support order and documents in maintained Support Enforcement registry by Documentation required for the entry of a support order for another jurisdiction for the purpose of withholding of income shall comply with the requirements of section 46b-213i. If the documentation received by Support Enforcement Services does not conform to those requirements, Support Enforcement Services shall remedy any defect which it can without the assistance of the obligee or requesting agency or person. If Support Enforcement Services is unable to make such corrections, the requesting agency or person shall immediately be notified of the necessary additions or corrections. Enforcement Services shall accept the documentation required by this subsection so long as the substantive requirements of this subsection are met.
- Sec. 41. Subsection (h) of section 52-362f of the general statutes, as amended by section 25 of public act 01-91, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (h) The agency or Support Enforcement Services, upon receiving a certified copy of any amendment or modification to a support order entered pursuant to subsection (d) of this section, shall file such certified copy with the clerk of Support Enforcement Services, and

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Support Enforcement Services shall amend or modify the order for withholding to conform to the modified support order.

- Sec. 42. Subsection (a) of section 53-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 1101 (a) Any person who carries upon [one's] his or her person any BB. gun, blackjack, metal or brass knuckles, or any dirk knife, or any 1102 1103 switch knife, or any knife having an automatic spring release device by 1104 which a blade is released from the handle, having a blade of over one 1105 and one-half inches in length, or stiletto, or any knife the edged 1106 portion of the blade of which is four inches or over in length, any 1107 police baton or nightstick, or any martial arts weapon or electronic 1108 defense weapon, as defined in section 53a-3, as amended, or any other 1109 dangerous or deadly weapon or instrument, shall be fined not more 1110 than five hundred dollars or imprisoned not more than three years, or 1111 both. Whenever any person is found guilty of a violation of this 1112 section, any weapon or other instrument within the provisions of this 1113 section, found upon the body of such person, shall be forfeited to the 1114 municipality wherein such person was apprehended, notwithstanding 1115 any failure of the judgment of conviction to expressly impose such 1116 forfeiture.
- Sec. 43. Subsection (c) of section 53-344 of the general statutes, as amended by section 2 of public act 01-92, is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (c) Any person under eighteen years of age who purchases or misrepresents such person's age to purchase tobacco in any form shall be fined not more than fifty dollars for the first offense and not less than fifty dollars [nor] or more than one hundred dollars for each subsequent offense.
- Sec. 44. Subsection (a) of section 53a-167c of the general statutes, as amended by section 13 of public act 01-84, is repealed and the

following is substituted in lieu thereof (*Effective from passage*):

(a) A person is guilty of assault of public safety or emergency medical personnel when, with intent to prevent a reasonably identifiable peace officer, firefighter or employee of an emergency medical service organization, as defined in section 53a-3, emergency room physician or nurse, employee of the Department of Correction, employee or member of the Board of Parole, probation officer, employee of the judicial branch assigned to provide pretrial secure detention and programming services to juveniles accused of the commission of a delinquent act or employee of the Department of Children and Families assigned to provide direct services to children and youth in the care or custody of the department from performing his or her duties, and while such peace officer, [fireman] firefighter, employee, physician, nurse, member or probation officer is acting in the performance of his or her duties, (1) such person causes physical injury to such peace officer, firefighter, employee, physician, nurse, member or probation officer, or (2) such person throws or hurls, or causes to be thrown or hurled, any rock, bottle, can or other article, object or missile of any kind capable of causing physical harm, damage or injury, at such peace officer, firefighter, employee, physician, nurse, member or probation officer, or (3) such person uses or causes to be used any mace, tear gas or any like or similar deleterious agent against such peace officer, firefighter, employee, physician, nurse, member or probation officer, or (4) such person throws or hurls, or causes to be thrown or hurled, any paint, dye or other like or similar staining, discoloring or coloring agent or any type of offensive or noxious liquid, agent or substance at such peace officer, firefighter, employee, physician, nurse, member or probation officer, or (5) such person throws or hurls, or causes to be thrown or hurled, any bodily fluid including, but not limited to, urine, feces, blood or saliva at such peace officer, firefighter, employee, physician, nurse, member or probation officer.

Sec. 45. Subsection (a) of section 54-142c of the general statutes is

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- 1160 repealed and the following is substituted in lieu thereof (Effective from 1161 passage):
- 1162 (a) The clerk of the court or any person charged with retention and 1163 control of erased records by the Chief Court Administrator or any 1164 criminal justice agency having information contained in such erased 1165 records shall not disclose to anyone the existence of such erased 1166 [record] records or information pertaining to any charge erased under 1167 any provision of this part, [I of this chapter,] except as otherwise 1168 provided in this chapter.
- 1169 Sec. 46. Section 5 of public act 01-121 is repealed and the following is 1170 substituted in lieu thereof (*Effective from passage*):
- 1171 Not later than July 1, 2004, the State Prevention Council shall submit 1172 to the Secretary of the Office of Policy and Management and the joint 1173 standing committee of the General Assembly having cognizance of 1174 matters relating to appropriations its recommendations concerning the 1175 potential expansion, including potential use of benchmarks, or 1176 termination of the State Prevention Council pursuant to section 2c-12.
- 1177 Sec. 47. Subsection (a) of section 2 of public act 01-130 is repealed 1178 and the following is substituted in lieu thereof (*Effective from passage*):
- 1179 (a) [(1)] For purposes of this section: [, "armor piercing .50 caliber 1180 bullet"
- 1181 (1) "Armor piercing .50 caliber bullet" means any .50 caliber bullet 1182 that is (A) designed for the purpose of, (B) held out by the 1183 manufacturer or distributor as, or (C) generally recognized as having a specialized capability to penetrate armor or bulletproof glass, 1184 1185 including, but not limited to, such bullets commonly designated as 1186 "M2 Armor-Piercing" or "AP", "M8 Armor-Piercing Incendiary" or 1187 "API", "M20 Armor-Piercing Incendiary Tracer" or "APIT", "M903 1188 Caliber .50 Saboted Light Armor Penetrator" or "SLAP", or "M962 1189

Saboted Light Armor Penetrator Tracer" or "SLAPT".

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- (2) "Incendiary .50 caliber bullet" means any .50 caliber bullet that is
 (A) designed for the purpose of, (B) held out by the manufacturer or
 distributor as, or (C) generally recognized as having a specialized
 capability to ignite upon impact, including, but not limited to, such
 bullets commonly designated as "M1 Incendiary", "M23 Incendiary",
 "M8 Armor-Piercing Incendiary" or "API", or "M20 Armor-Piercing
 Incendiary Tracer" or "APIT".
- Sec. 48. Subsection (b) of section 1 of public act 01-168 is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 1199 (b) Within available appropriations, the Department 1200 Administrative Services shall establish procedures that promote, to the 1201 greatest extent feasible, the procurement and use of recycled products 1202 and environmentally preferable products and services by state agencies. The department shall: (1) Designate environmentally 1203 1204 preferable products, taking into consideration the raw materials 1205 acquisition, production, manufacturing, packaging, distribution, reuse, 1206 operation, maintenance or disposal aspects of [the product] such 1207 products, and establish minimum standards and specifications for 1208 their procurement and use; (2) when feasible, include the use of 1209 environmentally preferable products and services as a criteria in a 1210 multiple criteria bid or an evaluation factor in requests for proposals; 1211 and (3) consider the use of environmentally preferable business 1212 practices when reviewing the overall performance of a bidder or 1213 proposer's business operation. Such procedures shall not be considered 1214 ["regulations"] regulations, as defined in section 4-166.
- Sec. 49. Section 29 of public act 01-175 is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- The chairperson of the Board of Parole shall (1) require each applicant for a position that will involve direct contact with inmates or parolees, or allow access to criminal history information, to state whether such person has ever been convicted of a crime or whether criminal charges are pending against such person at the time of such

- person's application, and (2) require each applicant to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this section shall be conducted in accordance with section [28] 31 of [this act] public act 01-175.
- Sec. 50. Subsection (b) of section 4 of public act 01-193 is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 1228 (b) Not later than ninety days after the effective date of this section, 1229 the Office of Workforce Competitiveness, in consultation with the 1230 Commissioner of Higher Education and the [Board] <u>Boards</u> of Trustees 1231 of The University of Connecticut, the Community-Technical Colleges 1232 and the Connecticut State University System and at least three 1233 independent institutions of higher education in this state, shall 1234 establish written participation guidelines for the pilot program 1235 authorized under this section.
- Sec. 51. Section 5 of public act 01-193 is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 1238 (a) Within available appropriations for the fiscal year ending June 1239 30, 2002, the Office of Workforce Competitiveness, in consultation with 1240 the Department of Higher Education and the [Board] Boards of 1241 Trustees of The University of Connecticut, the Community-Technical 1242 Colleges and the Connecticut State University System, shall establish a 1243 pilot program that is designed to assist noninformation technology 1244 workers who demonstrate an aptitude in information technology to 1245 earn an information technology credential or degree at one of the 1246 constituent units of the state system of higher education.
 - (b) Not later than ninety days after the effective date of this section, the Office of Workforce Competitiveness, in consultation with the Commissioner of Higher Education and the [Board] <u>Boards</u> of Trustees of The University of Connecticut, the Community-Technical Colleges and the Connecticut State University System, shall establish written participation guidelines for the pilot program authorized under this

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- 1253 section.
- 1254 (c) Not later than January 1, 2002, the Office of Workforce
- 1255 Competitiveness shall submit a status report in accordance with the
- provisions of section 11-4a of the general statutes on the establishment
- 1257 and on any operation of the pilot program authorized under this
- section to the Connecticut Employment and Training Commission, the
- joint standing committees of the General Assembly having cognizance
- 1260 of matters relating to appropriations and education and to the select
- 1261 committee of the General Assembly having cognizance of matters
- 1262 relating to workforce development.
- Sec. 52. Section 7 of public act 01-193 is repealed and the following is
- substituted in lieu thereof (*Effective from passage*):
- 1265 (a) Within available appropriations, the Office of Workforce
- 1266 Competitiveness, in consultation with the Department of Higher
- 1267 Education and the [Board] Boards of Trustees of The University of
- 1268 Connecticut, the Community-Technical Colleges and the Connecticut
- 1269 State University System, shall establish a pilot program that is
- 1270 designed to provide information technology related internship and
- 1271 cooperative work-study programs at the constituent units of the state
- 1272 system of higher education.
- 1273 (b) Not later than ninety days after the effective date of this section,
- 1274 the Office of Workforce Competitiveness, in consultation with the
- 1275 Commissioner of Higher Education and the [Board] <u>Boards</u> of Trustees
- of The University of Connecticut, the Community-Technical Colleges
- 1277 and the Connecticut State University System, shall establish written
- 1278 participation guidelines for the pilot program authorized under this
- 1279 section.
- 1280 (c) Not later than January 1, 2002, the Office of Workforce
- 1281 Competitiveness shall submit a status report in accordance with the
- provisions of section 11-4a of the general statutes on the establishment
- 1283 and on any operation of the pilot program authorized under this

- section to the Connecticut Employment and Training Commission, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and education and to the select committee of the General Assembly having cognizance of matters relating to workforce development.
- Sec. 53. Subsection (c) of section 11 of public act 01-9 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- (c) The additional fee paid to [court] the Superior Court pursuant to section 10 of [this act] public act 01-9 of the June special session and any fee collected pursuant to subsection (b) of this section, shall be deposited in the General Fund.
- Sec. 54. Subsection (a) of section 78 of public act 01-9 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (a) Notwithstanding [the provisions] any provision of the general statutes, any project that is eligible for state financial aid for demolition of buildings shall be eligible to apply for state financial aid under the same program such project was eligible for demolition for the costs of moving one or more buildings that are a part of such project from one location to another, provided (1) the subject buildings currently contain or will be renovated to contain one or more dwelling units per building, and (2) the total cost of relocating the subject buildings does not exceed by more than five per cent the total of all costs associated with the demolition of such buildings, including, but not limited to: The costs of preparing the buildings for [demolitions] demolition, including the costs of abatement of asbestos and other hazardous materials; the actual costs of taking the buildings down; the relocation of residents, including the costs of relocation assistance; utility relocation; environmental remediation after the buildings have been demolished; removal of the foundations; the filling of the site with clean fill; and any other costs associated with the demolition of the

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buildings or the return of the sites to a condition suitable for future development, provided any costs which would be incurred regardless of whether the subject buildings are moved or demolished shall not be included in such comparison in any way, and (3) the entity requesting state financial aid can demonstrate to the agency providing state financial aid the benefits to the neighborhood or municipality of preserving the character of the area by retaining the subject buildings.

This act shall take effect as follows:		
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Statement of Purpose:

To make technical changes concerning grammar, gender neutrality, accuracy of internal references and consistency in the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]